

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED
OCT 17 2007
JOHN F. CORCORAN, CLERK BY: <i>[Signature]</i> DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DANIEL CHRISTOPHER HERBERT, )  
Petitioner, ) Civil Action No. 7:07CV00357  
 )  
v. )  
 )  
GENE M. JOHNSON, VA DEPT. OF )  
CORRECTIONS, ) By: Hon. James C. Turk  
Respondent. ) Senior United States District Judge

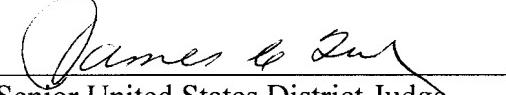
In accordance with the Memorandum Opinion entered this day, it is hereby

**ORDERED**

that the petition for writ of habeas corpus filed by Herbert shall be **DISMISSED** and **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to Petitioner and counsel of record for Respondent, if known.

ENTER: This 17<sup>th</sup> day of October, 2007

  
\_\_\_\_\_  
Senior United States District Judge